IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

(1) CRIMINAL WRIT PETITION NO.925 OF 2005
IN
C.C.NO.1431/S/2003

Mr.Ravindra Singh Amir Singh
Arora ..Petitioner

Vs.

Shri.Vaibhav Kapoor and Anr...Respondents

...
Mr.Shreeram Shirsat for Petitioner
Mr.Rajesh More A.P.P. for State
...

(2) CRIMINAL WRIT PETITION NO.926 OF 2005
IN
C.C.NO.2700/S/2003

Mr.Ravindra Singh Amir Singh
Arora ..Petitioner

Vs.

Smt.Ramawanti Vohra
and Mrs.Swarna Lata Kapoor
and Anr. ..Respondents

...
Mr.Shreeram Shirsat for Petitioner
Mr.S.R.Shinde, A.P.P. for State
...

CORAM: SMT.V.K.TAHILRAMANI,J.

DATE : JULY 4, 2005

P.C.

1. Heard the learned advocate for the petitioner and the learned A.P.P. for the State.

2. The petitioner is seeking quashing of process issued by the learned Metropolitan Magistrate, 28th Court, Esplanade, Mumbai in Case Nos. 1431/S/2003 and 2700/S/2003. In he said cases process is issued under Sections 138 r.w. 141 of Negotiable Instruments Act.

3. For the reasons recorded in my order dated 13th June, 2005 in W.P.No. 213 of 2005 and dated 21st June, 2005 in Cri.Application No.550 of 2005, in my view, it is clear that the petitioner has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioner prefers a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioner to prefer

the necessary revision before the concerned Sessions Court. The learned advocate for the petitioner states that the necessary revision will be preferred within a period of three weeks from today. In view of the statement, the trial Court shall not proceed with the trial for a period of three weeks from today.

5. On the necessary revision being preferred by the petitioner before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties.

6. Both the writ petitions are disposed of.

[V.K.TAHILRAMANI,J.]